



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,543	07/19/2001	Sheng Li	3442P014	1957

8791 7590 05/12/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

SINGH, RACHNA

ART UNIT PAPER NUMBER

2176

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/909,543

Applicant(s)

LI, SHENG

Examiner

Rachna Singh

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/10/05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment filed 1/10/05.
2. Claims 1-28 are pending. Claims 19-28 are newly added claims. Claims 1, 7, 10, 12, and 14 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 10, 12, 14, and 19-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wittman, US 2002/0055950 A1, 5/9/02 (filed 4/23/01, continuation of an application filed 12/23/98).

In reference to claims 1, 10, 12, and 14, Wittman teaches synchronizing audio and text of multimedia segments. See abstract. Compare to ***"A method for synchronizing multimedia data having at least audio and text sequences"***.

Wittman teaches the following:

-Separating the audio component and closed caption component from a single stream.
Generating an audio pattern representative of the start of the multimedia segment;
locating the audio pattern in the audio component; generating a concluding audio pattern representative of the end of the multimedia segment; locating the concluding audio pattern in the audio component; identifying the multimedia segment between the audio patterns. See page 1, paragraphs [0005]-[0009]. Determining the start of the

audio block, indexing the audio block, and sending the audio block to an information store. See page 2, paragraphs [0027]-[0029], page 3, paragraph [0032], and figure 3.

Witteman discloses temporally aligning the text with the audio pattern in the audio component. See page 1, paragraph [0010] and figure 3, elements 444, 446, and 448 which illustrate temporally aligning the audio information with the text information using text marks (in seconds). Compare to ***“dividing the audio sequence into a plurality of audio data groups; synchronizing each audio data group of said plurality of audio data groups to a nearest time mark within a series of time marks spaced according to a predefined temporal arrangement”***.

-Comparing the text against one or more keywords delimiting the multimedia segment and temporally aligning the text with the audio pattern in the audio component. See pages 1-2 and figure 3. Compare to ***“associating each audio data group. . .in the text sequence”***.

Witteman teaches associating the audio pattern to words in a text sequence; however, he does not state that a number is used to associate the word to the audio group. The “number of the word” is simply a means to put in order the words of a text sequence. Witteman teaches that the text in the closed caption components are aligned temporally. See figure 3. It would have been obvious to a person of ordinary skill in the art at the time of the invention to equate Witteman’s temporal alignment to the “numbering” the words of a text sequence since both the temporal alignment and the numbering of the words allow the text or phrase to be ordered in a sequential

manner which then allows each word of text sequence to be associated with a specific audio group.

In reference to claims 2, 3, and 6, Witteman teaches generating an audio pattern representative of the start of the multimedia segment; locating the audio pattern in the audio component; generating a concluding audio pattern representative of the end of the multimedia segment; locating the concluding audio pattern in the audio component; identifying the multimedia segment between the audio patterns. See page 1, paragraphs [0005]-[0009]. Determining the start of the audio block, indexing the audio block, and sending the audio block to an information store. See page 2, paragraphs [0027]-[0029], page 3, paragraph [0032], and figure 3. The start and end of the multimedia segment determine the size of the audio frame. The audio pattern is segmented accordingly. The size of the audio segment is not limited in any manner and could include a size of 100 milliseconds. See figure 3. Witteman discloses temporally aligning the text with the audio pattern in the audio component. See page 1, paragraph [0010] and figure 3, elements 444, 446, and 448 which illustrate temporally aligning the audio information with the text information using text marks (in seconds).

In reference to claims 4 and 5, Witteman's system temporally aligns the text to the audio pattern. If there is no text for the selected audio component, then the audio component is temporally assigned to nothing except the time. See figure 3.

In reference to claims 19-28, Witteman discloses temporally aligning the text with the audio pattern in the audio component. See page 1, paragraph [0010] and figure 3,

elements 444, 446, and 448 which illustrate temporally aligning the audio information with the text information using text marks (in seconds).

5. Claims 7-9, 11, 13, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wittman, US 2002/0055950 A1, 5/9/02 (filed 4/23/01, continuation of an application filed 12/23/98) in view of Ishii, US 6,778,493 B1, 8/17/04 (filed 2/7/00).

In reference to claims 7-9, Wittman teaches synchronizing audio and text of multimedia segments. See abstract. Compare to ***“A method for synchronizing a text sequence with an audio sequence”***. Wittman teaches the following:

-Separating the audio component and closed caption component from a single stream.

Generating an audio pattern representative of the start of the multimedia segment;

locating the audio pattern in the audio component; generating a concluding audio

pattern representative of the end of the multimedia segment; locating the concluding

audio pattern in the audio component; identifying the multimedia segment between the

audio patterns. See page 1, paragraphs [0005]-[0009]. Determining the start of the

audio block, indexing the audio block, and sending the audio block to an information

store. See page 2, paragraphs [0027]-[0029], page 3, paragraph [0032], and figure 3.

Compare to ***“arranging the audio sequence into a plurality of audio data groups;***

synchronizing a current audio data group of said at least one audio data group to a nearest time mark”.

-Comparing the text against one or more keywords delimiting the multimedia segment

and temporally aligning the text with the audio pattern in the audio component. See

pages 1-2 and figure 3.

Witteman teaches associating the audio pattern to words in a text sequence; however, he does not state that a number of the word is used to associate the word to the audio group. The "number of the word" is simply a means to put in order the words of a text sequence. Witteman teaches that the text the closed caption components are aligned temporally. See figure 3. It would have been obvious to a person of ordinary skill in the art at the time of the invention to equate Witteman's temporal alignment to the "numbering" the words of a text sequence since both the temporal alignment and the numbering of the words allow the text or phrase to be ordered in a sequential manner which then allows each word of text sequence to be associated with a specific audio group.

Most modern Wide Area Network (WAN) protocols at the time of the invention were based on packet-switching technologies. See figure 5. Witteman does not explicitly teach the packetization of the audio groups and words; however, Ishii illustrates this feature. Ishii teaches real-time media content synchronization and transmission in packet network apparatus and method. Ishii's system teaches transmitting and synchronizing multimedia content for generating a multimedia packet having multimedia audio/visual information and for transmitting the multimedia packet. See abstract and column 3-4. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the packetization of audio and text for delivery over a network since it was well known in the art at the time of the invention to synchronize and transmit multimedia data streams from one or more sources over a

packet-based system to multiple receivers since it would allow multimedia contents to be played in a synchronized manner. See pages 1-4 of Ishii.

In reference to claim 11, most modern Wide Area Network (WAN) protocols were based on packet-switching technologies. See figure 5. Witteman's system could include the packetization of the audio groups and words. Ishii further illustrates this feature. Ishii teaches real-time media content synchronization and transmission in packet network apparatus and method. Ishii's system teaches transmitting and synchronizing multimedia content for generating a multimedia packet having multimedia audio/visual information and for transmitting the multimedia packet. See abstract and column 3-4. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the packetization of audio and text for delivery over a network since it was well known in the art at the time of the invention to synchronize and transmit multimedia data streams from one or more sources over a packet-based system to multiple receivers since it would allow multimedia contents to be played in a synchronized manner. See pages 1-4 of Ishii.

In reference to claim 13, most modern Wide Area Network (WAN) protocols were based on packet-switching technologies. See figure 5. Witteman's system could include the packetization of the audio groups and words. Ishii further illustrates this feature. Ishii teaches real-time media content synchronization and transmission in packet network apparatus and method. Ishii's system teaches transmitting and synchronizing multimedia content for generating a multimedia packet having multimedia audio/visual information and for transmitting the multimedia packet. See abstract and

column 3-4. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the packetization of audio and text for delivery over a network since it was well known in the art at the time of the invention to synchronize and transmit multimedia data streams from one or more sources over a packet-based system to multiple receivers since it would allow multimedia contents to be played in a synchronized manner. See pages 1-4 of Ishii.

In reference to claims 15-18, Witteman teaches comparing the text against one or more keywords delimiting the multimedia segment and temporally aligning the text with the audio pattern in the audio component. See pages 1-2 and figure 3. Most modern Wide Area Network (WAN) protocols were based on packet-switching technologies. See figure 5. Thus Witteman's system inherently includes packetizing of the audio groups and words/text sequences. Furthermore, Witteman discloses a computer system with a file sharing protocol on top of its TCP/IP protocol (most TCP/IP were based on packet-switching technologies at the time of the invention). See page 5. Most modern Wide Area Network (WAN) protocols were based on packet-switching technologies. See figure 5. Ishii further illustrates this feature. Ishii teaches real-time media content synchronization and transmission in packet network apparatus and method. Ishii's system teaches transmitting and synchronizing multimedia content for generating a multimedia packet having multimedia audio/visual information and for transmitting the multimedia packet. See abstract and column 3-4. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the packetization of audio and text for delivery over a network since it was well known in

the art at the time of the invention to synchronize and transmit multimedia data streams from one or more sources over a packet-based system to multiple receivers since it would allow multimedia contents to be played in a synchronized manner. See pages 1-4 of Ishii.

Response to Arguments

6. Applicant's amendments filed 1/7/05 have been reconsidered, but are not persuasive.

Applicant argues that Witteman does not disclose "assigning a number to each of a plurality of words in a text sequence", "synchronizing an audio data group to a nearest time mark within a series of time marks spaced according to a predefined temporal arrangement", or "associating an audio data group to a number of a word in a text sequence corresponding to audio content contained within the audio data group". Applicant further argues that Witteman does not teach a temporal arrangement for synchronizing audio data groups. Examiner respectfully disagrees. Witteman explicitly states temporally aligning the text with the audio pattern in the audio component. See page 1, paragraph [0010] and figure 3, elements 444, 446, and 448 which illustrate temporally aligning the audio information with the text information using text marks (in seconds). Furthermore, Witteman discloses associating the audio data group to words in the text sequence. See pages 1-2 and figure 3.

In reference to Applicant's argument that Witteman does not disclose "assigning a number to each of a plurality of words in a text sequence", Examiner's rejections above indicate Witteman teaches associating the audio pattern to words in a text

sequence; however, he does not state that a number is used to associate the word to the audio group. However, since the "number of the word" is simply a means to put in order the words of a text sequence. Witteman teaches that the text in the closed caption components are aligned temporally. See figure 3. It would have been obvious to a person of ordinary skill in the art at the time of the invention to equate Witteman's temporal alignment to the "numbering" the words of a text sequence since both the temporal alignment and the numbering of the words allow the text or phrase to be ordered in a sequential manner which then allows each word of text sequence to be associated with a specific audio group.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2176

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachna Singh whose telephone number is 571-272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RS
05/05/05


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER